



U.S. Department of Justice

United States Attorney
Southern District of New York

United States District Courthouse
300 Quarropas Street
White Plains, New York 10601

MEMO ENDORSED

July 12, 2021

BY ECF

Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *United States v. Marco Caso*, 20 Cr. 125 (KMK)

Dear Judge Karas:

The Government understands that for scheduling and logistical reasons, the status teleconference previously scheduled for Friday, July 16, 2021 at 3:00 p.m. will be briefly adjourned. The Government thus respectfully requests, with the consent of four of five defendants, that the Court (1) reschedule the status conference for the next available date, and (2) exclude time under the Speedy Trial Act until the date of the rescheduled status conference. Four of five defense counsel consent to the exclusion of Speedy Trial time for three additional weeks, until August 6, 2021. Counsel for defendant John Cicero objects to this request. The Government respectfully submits that the modest exclusion requested would be in the interest of justice to allow the defendants time to continue reviewing discovery and the parties time to continue discussing possible pre-trial dispositions. *See* 18 U.S.C. § 3161(h)(7)(A); *see also* ECF Doc. No. 65 (excluding nine days of Speedy Trial time over Cicero's objection under similar circumstances when an earlier status conference had to be briefly adjourned due to scheduling complications resulting from policies introduced in response to the COVID-19 pandemic). For scheduling purposes, counsel to defendant Mathew Matteo notes that he will be on vacation from August 13 to 27, and counsel to defendant Marco Caso is not available on August 6.

Granted. The conference is moved from 7/16/21 to 7/23/21. The reason for this short adjournment is that the COVID protocols limit the times during the day that court proceedings in multi-defendant cases can be scheduled for conferences. The original time sought by the Court (3pm) on the 16th ultimately was not available and some counsel could not make the 9 am time.

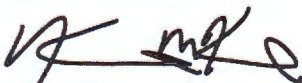
Accordingly, the Court had to adjourn the conference, but was able to schedule it the next available Friday (multi-defendant cases can only be put on the Friday calendar, per prison protocols). The Court will exclude time from 7/16/21 until 7/23/21, in the interests of justice, because that was the nearest available date for a conference. The interests of justice from this exclusion outweigh the public's and Defendants' interests in a speedy trial. *See* 18 U.S.C. Section 3161(h)(7)(A).

Respectfully submitted,

AUDREY STRAUSS
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So Ordered.


7/14/21